

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

Morris Reese,

*Plaintiff,*

v.

AT&T Inc., Southwestern Bell Telephone, L.P.,  
Verizon Communications Inc., and GTE Southwest  
Inc.,

*Defendants.*

Case No. 2:07-cv-219-DF

**FINAL JUDGMENT**

The Court has considered the entire case file, including all of its prior Orders, and the Stipulation and Joint Motion for Dismissal and Final Judgment filed by Plaintiff Morris Reese and Defendants Southwestern Bell Telephone, L.P. and GTE Southwest Inc. (collectively, the “Parties”). Based upon all of the foregoing,

IT IS ORDERED that Plaintiff’s claims for infringement of claims 23 and 32 of U.S. Patent No. 6,868,150 (the “’150 patent”) are DISMISSED WITH PREJUDICE;

IT IS FURTHER ORDERED that, based upon the claim construction issued by this Court on September 24, 2008, claims 1, 7, 13, 18, 25 and 36 of the ‘150 patent are found to be NOT INFRINGED by Defendants and for that reason, judgment is entered against Plaintiff on those claims.

IT IS FURTHER ORDERED that Defendants’ counterclaims and defenses including, but not limited to, non-infringement, invalidity and unenforceability of the ‘150 patent, are DISMISSED WITHOUT PREJUDICE, and Defendants remain free to reassert such counterclaims and defenses should Plaintiff’s infringement claims regarding the ‘150 patent be revived for any reason (including but not limited to modification of the Court’s claim

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construction on appeal);

IT IS FURTHER ORDERED THAT all parties shall bear their own attorney fees and costs;

IT IS FURTHER ORDERED THAT all motions and other requests for relief not otherwise ruled upon are hereby denied as moot; and

IT IS FURTHER ORDERED THAT this Court shall retain and hereby does retain jurisdiction over this matter in its entirety, including any claims which may be reinstated.

This is a Final Judgment, for which let execution issue.

**SIGNED this 22nd day of December, 2008.**

**APPROVED AS TO FORM AND CONTENT:**



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DAVID FOLSOM  
UNITED STATES DISTRICT JUDGE

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Dated: December 19, 2008

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